



REGULAR MEETING OF THE MILPITAS CITY COUNCIL

AGENDA

TUESDAY, SEPTEMBER 15, 2020
MILPITAS, CA
6:00 PM (CLOSED SESSION)
7:00 PM (PUBLIC BUSINESS)

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-3122

Para sa Tagalog, tumawag sa 408-586-3051

Para español, llame 408-586-3232

City Council meeting is held via teleconference /Zoom webinar only (no physical meeting space).
Submit any Public Forum or agenda item comments in writing on the form online, to be read aloud by
the City Clerk.

Meeting shall be livestreamed - Go to:

Facebook: <https://www.facebook.com/CityofMilpitas/>

YouTube: <https://www.ci.milpitas.ca.gov/youtube>

Web Streaming: <https://www.ci.milpitas.ca.gov/webstreaming>

Virtual public comments may be submitted on a form from the City website:

<http://www.ci.milpitas.ca.gov/publiccomment>

MILPITAS CITY COUNCIL CODE OF CONDUCT

- Be respectful and courteous (words, tone, and body language).
- Model civility.
- Avoid surprises.
- Praise publicly and criticize privately.
- Focus on the issue, not the person.
- Refrain from using electronic devices while on the Council dais.
- Disclose conflicts of interest and affiliations related to agenda items.
- Separate governing from campaigning.
- The Council speaks with one voice after making policy on issues.
- Respect the line between policy and administration.
- Council will hold one another accountable to comply with this Code of Conduct.

CALL MEETING TO ORDER by Mayor and ROLL CALL by City Clerk (6:00 PM)

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to California Government Code §54957.6

City representative: Human Resources Director Jeannine Seher

Employee Groups: International Association of Firefighters (IAFF), Mid-Management and Confidential Unit (Mid-Con), Milpitas Employees Association (MEA), Milpitas Professional and Technical Group (ProTech), and Unrepresented Employees

Under Negotiation: Wages, Hours, Benefits and Working Conditions

CLOSED SESSION ANNOUNCEMENT: Report on action taken in Closed Session, if required per Government Code Section 54957.1, including the vote or abstention of each member present

PLEDGE OF ALLEGIANCE (7:00 PM)

INVOCATION (assigned to Mayor Tran)

PRESENTATION

- Proclaim September 15 - October 15, 2020 as *Hispanic Heritage Month*

PUBLIC FORUM (7:05 PM)

Those interested are invited to address City Council on any subject not on tonight's agenda, by submitting written comments using the form available online. Submitters may provide their name and city of residence for the Clerk's record, and comments read aloud by the City Clerk may be limited to three minutes or less. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. Council may instruct the City Manager to place the item on a future meeting agenda.

Virtual public comments may be submitted on a form here: [:www.ci.milpitas.ca.gov/publiccomment](http://www.ci.milpitas.ca.gov/publiccomment)

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

Members of the City Council may make brief announcements or suggest future agenda items at this time. For future agenda items, the City Council shall not debate the topic or engage in discussion, but shall simply state a "yes" or "no" as to whether to direct the City Manager to place the item on a future meeting agenda. If a majority of the City Council agrees to place an item on a future meeting agenda, the City Manager shall place the item on a subsequent agenda for City Council discussion.

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

READING OF THE CITY COUNCIL CODE OF CONDUCT

APPROVAL OF AGENDA

CONSENT CALENDAR (7:20 PM)

Consent calendar items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a City Councilmember, member of the audience or staff requests the Council to remove an item from (or be added to) the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar.

C1. Receive City Council Calendars of Meetings for September and October 2020 (Staff Contact: Mary Lavelle, 408-586-3001)

C2. Approve Meeting Minutes of the August 27 and September 1, 2020 City Council meetings (Staff Contact: Mary Lavelle, 408-586-3001)

Recommendation: To approve the City Clerk's draft meeting minutes of the August 27, 2020 Special meeting and September 1, 2020 Regular City Council meeting.

- C3. Adopt a Resolution Certifying Election Results and Adding Tract No. 10475 to Community Facilities District No. 2008-1 (Annexation No. 19); Approve Final Tract Map No. 10475; and Approve and Authorize the City Manager to Execute the Subdivision Improvement Agreement for a Residential Development at 551 Lundy Place (Staff Contact: Steve Erickson, 408-586-3301)**

Recommendations:

- 1) Following receipt of election results from the City Clerk, adopt a resolution certifying election results and adding Tract No. 10475 to Community Facilities District No. 2008-1 (Annexation No. 19); and
- 2) Approve Final Tract Map No. 10475, including approval of street names and accept all offers of dedications as stated and depicted on the final map upon completion and acceptance of improvements; and
- 3) Approve and authorize the City Manager to execute the Subdivision Improvement Agreement between the City of Milpitas and Toll West Coast LLC for a residential development at 551 Lundy Place.

- C4. Adopt a Resolution Granting Acceptance of Alviso Adobe Renovation, Phase V – Interior Restoration, Project No. 5055, authorizing the City Engineer to file a Notice of Completion, and Authorizing Him to issue a Notice of Final Acceptance (Staff Contact: Steve Erickson, 408-586-3301)**

Recommendation: Adopt a resolution granting acceptance of Alviso Adobe Renovation, Phase V- Interior Restoration, Project No. 5055, authorizing the City Engineer to file a Notice of Completion, and authorizing him to issue a Notice of Final Acceptance after the one-year warranty.

- C5. Authorize the City Manager to Execute Release and Settlement Agreements with Valley Water District, Kuskokwim Corporation, and Suulutaaq, Inc. for Reimbursement for Repairs to City Lighting Landscape Maintenance Assessment District (LLMD) No. 98-1 and Related Budget Amendment (Staff Contact: Steve Erickson, 408-586-3301)**

Recommendation: Authorize the City Manager to execute Release and Settlement Agreements with Valley Water District, Kuskokwim Corporation, and Suulutaaq, Inc. for reimbursement for repairs to City Lighting Landscape Maintenance Assessment District (LLMD) No. 98-1 and appropriate \$86,125 to Capital Improvement Project Sinclair Horizons LLMD No. 98-1.

- C6. Approve and Authorize the City Manager to Execute an Energy Service Agreement with ENGIE Services U.S. Inc. to Develop Energy and Water Efficiency Projects Pursuant to California Government Code Section 4217 (Staff Contact: Tony Ndah, 408-586-2602)**

Recommendation: Approve and authorize the City Manager to execute an Energy Service Agreement with ENGIE Services U.S. Inc. for the development of Energy and Water Conservation Measures on City facilities and land, pursuant to California Government Code Section 4217.

- C7. Approve Award of Youth Advisory Commission Scholarships of \$500 Each to Five Recipients for Year 2020 (Staff Contact: Renee Lorentzen, 408-586-3409)**

Recommendation: Approve award of five Youth Advisory Commission Community Service Scholarships of \$500 each for a total amount of \$2,500.

COMMUNITY DEVELOPMENT (7:30 PM)

8. **Receive progress report from Urban Field Studio and Staff on the Milpitas Metro Specific Plan (TASP Update), Discuss Plan Objectives and Priorities and Provide Direction on Key Planning Concepts, Multi-modal Connections, and Open Space Strategies (Staff Contacts: Ned Thomas, 408-586-3273 and Kevin Riley, 408-586-3292)**

Recommendations: Receive a presentation from staff, and discuss Plan objectives and priorities and provide direction on key planning concepts, multi-modal connections and open space strategies.

LEADERSHIP AND SUPPORT SERVICES (8:30 PM)

9. **Designate Milpitas City Councilmembers as Delegate and Alternates to 2020 League of California Cities Annual Conference (Staff Contact: Mary Lavelle, 408-586-3001)**

Recommendations:

- 1) Among those City Councilmembers registered and planning to be in attendance at the League of California Cities 2020 Annual Conference, move to designate one member to serve as the voting delegate.
- 2) Among those City Councilmembers registered and planning to be in attendance at the League of California Cities 2020 Annual Conference, move to designate one or two members to serve as the alternate voting delegate(s).

10. **Approve and authorize the City Manager to execute the Agreements between the City of Milpitas and Verizon, and AT&T, for the installation of Small Cell Facilities on Municipal Facilities (Staff Contact: Mike Luu, 408-586-2706)**

Recommendation: Approve and authorize the City Manager to execute the Municipal Facilities License Agreements (MLA) with Verizon and AT&T to attach Small Cell Antennas to City-owned vertical infrastructure in the public right-of-way.

11. **Approve and Authorize the City Manager to Execute a Funding Agreement with Santa Clara County for Countywide isolation and quarantine services related to COVID-19 (Staff Contacts: Ashwini Kantak, 408-586-3053 and Christopher Diaz, 408-586-3040)**

Recommendation: Approve and authorize the City Manager to execute a Funding Agreement with Santa Clara County for Countywide isolation and quarantine services related to COVID-19 for an amount not to exceed \$109,588.

12. **Approve and Adopt a City Social Media Policy (Staff Contacts: Ashwini Kantak, 408-586-3053 and Christopher Diaz, 408-586-3040)**

Recommendation: Approve and adopt a City of Milpitas Social Media Policy.

REPORTS OF MAYOR & COUNCILMEMBER (10:30 PM)

13. **Receive and Direct Staff on List of Agenda Items Requested by City Councilmembers (Contact: Mayor Tran, 408-586-3029)**

Recommendation: Review list of items presented (list in agenda packet) that have been requested by City Councilmembers on a form, at a Council meeting, or through the City Manager. Direct items to a City Council Subcommittee, to be placed onto a specific meeting date, or specify alternate direction to staff. No substantive discussion about any specific item shall occur and the City Council shall hold all debate about the item until the item is scheduled as a full agenda item.

14. Discuss Council Sponsored Events; and, Discuss and Provide Direction on 2020 United States Census Outreach and Any Council Sponsorship (Contact: Councilmember Dominguez, 408-586-3031)

Recommendation: Discuss City Council sponsored event process; and, discuss and provide direction on the City's 2020 US Census outreach before the September 30, 2020 deadline and any Council sponsorship.

NEXT AGENDA PREVIEW

15. Receive Preview List of Anticipated Items for the Next Regular City Council Meeting Scheduled on October 6, 2020 (Staff Contact: Mary Lavelle, 408-586-3001)

Recommendation: Receive list of anticipated agenda items for the October 6, 2020 regular City Council meeting.

ADJOURNMENT (11:00 PM)

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions and other City agencies exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and City operations are open to the people's review. For more information on your rights under the Open Government Ordinance or to report a violation, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035
e-mail: cdiaz@ci.milpitas.ca.gov / Phone: 408-586-3040

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.

Materials related to an item on this agenda submitted to the City Council after initial distribution of the agenda packet are available for public inspection at the City Clerk's office at Milpitas City Hall, 3rd floor 455 E. Calaveras Blvd., Milpitas and on City website. City Council agendas and related materials can be viewed online: www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp (select meeting date)

APPLY TO SERVE ON A CITY COMMISSION

Commission application forms are available online at www.ci.milpitas.ca.gov or at Milpitas City Hall. Contact the City Clerk's office at 408-586-3003 for more information.

If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, please call the City Clerk at 408-586-3001 or send an e-mail to mlavelle@ci.milpitas.ca.gov prior to the meeting. You may request a larger font agenda or arrange for mobility assistance.